

## CHAP. 319.

Court may.

Provided.

Trial at first term.

Appeal not to stay execution without bond.

Bond required.

To be approved. May be sued.

Limited to Baltimore city.

to be adduced therein as it was or might have been competent to such justices to have proceeded therewith; and the said county court shall have the same power as such justices as to the summoning and enforcing the attendance of jurors and rendition of judgments in such case; *Provided however*, that such cases may be tried by a jury from the jurors summoned for the trial of causes at the term of such court.

Sec. 10. *And be it enacted*, That every case of such *certiorari* shall be finally determined and proceeded with at the first term, to which such case shall be removed to the said county court; unless for cause shown upon affidavit, the court shall otherwise order.

Sec 11. *And be it enacted*, That no *certiorari* as aforesaid, shall operate as a stay to restitution of possession, or of any execution of, or under the judgment of the justices of the peace, unless the tenant, his executors or administrators, shall enter into bond with surety in form and manner, and under the regulations prescribed in cases of appeals, from judgments rendered by justices of the peace with condition to prosecute the *certiorari* with effect, and to answer to the landlord, his executors and administrators, all costs and damages mentioned in the judgment, and such as shall be further incurred and sustained by reason of the proceeding of said *certiorari*, and of the delay thence arising; and in all other cases of *certiorari* upon proceedings as aforesaid, under the act to which this is a supplement, no such *certiorari* shall be granted, unless a bond with surety be entered into as aforesaid, and approved by the county court or a judge thereof, with condition to prosecute said *certiorari* with effect, and answer all costs and damages incurred by reason of the proceeding in said *certiorari*, and of the delay aforesaid; and such bonds may be recovered before any justice of the peace, as small debts may be recovered before justices of the peace.

Sec. 12. *And be it enacted*, That the provisions of this act shall extend only to the city of Baltimore.

## CHAPTER 319.

Passed Mar. 12, 1832 *An act relating to Appeals and Writs of Error, on Judgments of the County Courts of Baltimore, Frederick and Washington.*

All the exceptions taken shall be certified to the court of appeals.

Section 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of May next, in all cases in the county courts hereinafter mentioned of this